

Article - Labor and Employment

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§3-607.

(a) If a principal makes a revocable offer of a commission to a sales representative who is not an employee of the principal, the sales representative is entitled to the commission agreed on if:

(1) the principal revokes the offer of commission and the sales representative establishes that the revocation was for the purpose of avoiding payment of the commission; or

(2) (i) the revocation occurs after the sales representative has obtained a written order for the principal's product because of the efforts of the sales representative; and

(ii) the principal's product that is the subject of the order is shipped to and paid for by a customer.

(b) This section may not be construed to:

(1) impair the application of § 2-201 or § 2-209 of the Commercial Law Article;

(2) abrogate any rule of agency law; or

(3) unconstitutionally impair the obligations of contracts.

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